

**MINUTES OF THE REGULAR MEETING OF
THE EDINA PLANNING COMMISSION
HELD ON WEDNESDAY, APRIL 30, 1997, AT 7:30 P.M.
EDINA CITY HALL COUNCIL CHAMBERS**

MEMBERS PRESENT: **Acting Chair, David Runyan, John Lonsbury, Ann Swenson, Helen McClelland, David Byron, Geof Workinger and Charles Ingwalson**

MEMBERS ABSENT: **Gordon Johnson and Lorelei Bergman**

STAFF PRESENT: **Craig Larsen and Jackie Hoogenakker**

I. APPROVAL OF THE MINUTES:

The minutes of the April 2, 1997 meeting were filed as presented noting the attendance at that meeting of John Lonsbury

II. NEW BUSINESS:

S-97-3	Doepkes Division Lori Baron 5920 West 70th Street
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Request:	Create Two Lots
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Mr. Larsen informed the Board the subject property is a developed single dwelling lot measuring 65,778 square feet in area. An existing home is located in the southwesterly portion of the property. A proposal to subdivide the property to create one, new buildable lot has been submitted. The proposed division would create 2 lots which are nearly identical in size and shape. The existing house would encroach on the new lot and would need to be moved or razed.

Mr. Larsen explained Section 810 of the City Code, the Subdivision Ordinance, requires that lots within a proposed subdivision meet or exceed the median average lot

width, lot depth, area of lots within 500 feet of the proposed subdivision. There are 66 lots within 500 feet of the property, with the median average lot width, 100 feet, lot depth 126 feet, and lot area 17,465 square feet.

Mr. Larsen asked the Commission to note the Lot dimensions and areas of the proposed lots are:

<u>Lot Width</u>	<u>Lot Depth</u>	<u>Lot Area</u>
109 feet	300 feet	32,893 square feet
109 feet	300 feet	32,893 square feet

Mr. Larsen concluded the proposed lots within the subdivision exceed ordinance requirements for width, depth and area. The lots are logically shaped and there are no unusual physical constraints on development. Staff recommends preliminary plat approval conditioned on:

1. Final Plat approval
2. Subdivision Dedication

The proponent, Ms. Baron was present to respond to questions.

Commissioner Ingwalson observed the existing house appears to encroach on Lot 2, and questioned if the existing house can remain while development is occurring on Lot 2. Mr. Larsen explained there is no time limit for development on the two lots, or removal of the existing house, but no permit will be issued on Lot 2 until the existing house is moved or razed. Mr. Larsen concluded the existing house can not encroach on the new lot.

Commissioner McClelland pointed out the property at 5800 West 70th. Street is also very large, and asked Mr. Larsen if he believes this lot could be subdivided in the future. Mr. Larsen said recently the house at 5800 West 70th Street was totally upgraded, adding this parcel is in the same situation as the subject site. If subdivided the existing house would need to be removed.

Ms. Nancy Peterson resident of the area questioned the reason the property displayed two sale signs. Mr. Larsen said he heard the property was being marketed as subdividable, but does not know the reason the site displayed two signs.

Mr. Jim McKennon, 2420 Meeting Street, Wayzata, colleague of the proponent, told members of the Commission the for sale signs were erected by Edina Realty. Ms. Baron erected the subdivision sign

Mr. Lloyd Brown, interested neighbor asked for clarification on what can be constructed on the lots. Mr. Larsen explained only single family homes can be constructed on the lots, including accessory structures allowed in the R-1 zoning district.

Commissioner McClelland interjected with lots this large a future property owner may want to construct a pool, or tennis court, reiterating this site is zoned only for residential purposes.

Commissioner Byron told Commission Members he has no problem with this proposal. He addressed the proponent informing her the future homes constructed on the new lots will have to meet the required side, rear, frontyard setbacks and lot coverage requirements.

Commissioner Byron moved to recommend approval subject to staff conditions. Commissioner McClelland seconded the motion. All voted aye; motion carried 7-0.

P-97-3

**Four S Properties, Inc. and Gordon Lewis
5229 Eden Avenue**

Mr. Larsen reminded the Planning Commission, at staff's request, they continued this item to allow additional time to evaluate the proposed use. Mr. Larsen explained as the Commission is aware there have been numerous proposals to redevelop this property and the property immediately south of this property over the last 10 years. The City has also hired outside land use consultants to make recommendations as to the best and most appropriate reuse for this and the adjacent property. In 1985 a study by BRW recommended reuse for either multi-family residential or office-showroom development. In 1996 a land use study by Hoisington-Koegler recommended redevelopment for general office use or a combination of office and residential uses. None of the studies have recommended an industrial or warehousing redevelopment of the properties.

Mr. Larsen stated in staff's opinion the proposed warehouse redevelopment of the property is inconsistent with the recommended reuses for the property and is inconsistent with prior Commission and Council decisions of the best use of the property. Based on prior recommendations and decisions, staff must recommend denial of the proposed Final Development Plan for redevelopment of the property for use as a mini-storage warehouse facility.

Mr. Larsen told the Commission the proponents have submitted complete plans in support of their request. The plans represent a development which is in general conformance with Zoning Ordinance requirements. Specifically, the plans conform with building and parking setbacks, floor area ratio, and on-site parking requirements. The proposed plans would require variances for two elements of the plan. First, the Zoning Ordinance requires a 10 foot setback between building and parking areas. This space is required to provide a foundation planting area. The proposed plan does not provide this planting area. Second, it appears that the drive-aisle on the west side of the most southerly building is too narrow.

Mr. Larsen concluded staff recommends denial of the Final Development Plan request based upon the proposed land uses and the variances requested by the plan.

The proponents Todd Jones and Pat Statsberry of Four S Properties were present, Mr. Bill Griffith, of Larkin, Hoffman was present representing the proponents. Mr. Roger Anderson and Mr. Bob Kopland engineer and architect of the project were also present.

Commissioner Ingwalson questioned Mr. Larsen on the variances required for this site. Mr. Larsen responded there are two variances. One variance is a four foot drive aisle variance, and the other is that a 10 foot setback is to be provided from the buildings to the parking areas.

Commissioner Runyan inquired if the 10 foot setback requirement between buildings and parking areas is only a requirement for an individual building, not storage garages, pointing out that requirement does not work well with storage facilities. Mr. Larsen agreed the 10 foot requirement does not work well for this proposal, but still applies.

Commissioner McClelland questioned the access road for the Kunz Oil site, and pointed out as she views this proposal the Kunz loading docks appear to be blocked. Mr. Larsen acknowledged as a result of this proposal the docks are compromised. He continued it is his understanding Kunz Oil can still access their property from Eden Avenue via the easement.

Mr. Bill Griffith, of Larkin Hoffman representing Four S Properties addressed the Commission and explained to them Four S Properties is at the top end of the mini storage operation. Continuing, Mr. Griffith explained the majority of mini storage spaces are leased by the residential market, with 25% of the spaces leased by commercial tenants.

Mr. Griffith introduced Mr. Pat Statsberry and Todd Jones of Four S Properties, and Roger Anderson and Bob Kopland as architect and engineer of the project. Continuing, Mr. Griffith pointed out the Comprehensive Plan indicates this site as Industrial, and the proposal presented this evening conforms to that designation. Mr. Griffith with graphics asked the Commission to note the proposed development has implemented the Grandview streetscape, and believes this addition ties the project well with the Grandview community. Mr. Griffith pointed out the project consists of six buildings with an office. A decision has not yet been made if the office will be manned 24 hours a day. Mr. Griffith said the facility will be secured, and tenants will use a card system to gain access to the facility. Mr. Griffith stated in his opinion this project will be an asset to Edina, and the neighborhood will view it favorably. He pointed out trip generations for mini warehouse facilities are very low. Continuing, Mr. Griffith reported the proponents retained Benshoof & Associates to review the proposal and they determined the traffic counts generated by a use such as this are minimal, and will have

little impact on adjoining properties. Mr. Griffith pointed out this is only a 6 acre site, and as mentioned earlier, and supported by consultants, the trip generations are very low.

Mr. Griffith asked the Commission to consider the variance requests, and informed them after review they were able to eliminate the 4 foot drive aisle variance by using compact spaces. Continuing, Mr. Griffith said the 10 foot building space/parking area variance is not feasible. If the buildings were developed to comply with that section of the code this project would not be able to be constructed. Mr. Griffith stressed common sense needs to be applied in this instance. He pointed out if they added the required 10 foot separation from building to parking areas how would tenants get into their storage garage? They would not drive over grass and landscaping to gain access to their leased space. Continuing, Mr. Griffith stated mini warehouse storage is an approved principal use in the industrial district, so one would assume if the zoning is correct (industrial) a proposal would be able to be submitted that complies with that zoning, and if needed, a variance granted from that portion of the code which would make it impossible to develop. Concluding Mr. Griffith stated redevelopment of this site as a mini warehouse storage complex would turn a blighted area into a development that requires no City funding, and reduces trip generations to the low end of the spectrum. Mr. Griffith informed the Commission in reviewing past proposals members of the neighborhood indicated they are very concerned with traffic/trip generations, reiterating this proposal “cleans up” a blighted site with minimal impact on the neighborhood. Mr. Griffith stated there is a demand in Edina for this type of facility, and the applicant has submitted a project that exceeds all code requirements, except for the previously discussed variances.

Commissioner Byron said he has some questions about the roadway easement to the Kunz site. Mr. Griffith said the easement to the Kunz property is 16 feet wide and his understanding is that it is a perpetual easement. Mr. Griffith stated the easement will remain available to Kunz Oil.

Commissioner Ingwalson asked if there will be parking on the 16 foot easement. Mr. Jones responded there will be no parking on the easement. Commissioner Byron observed the easement is rather narrow, and building placement may make it impossible to use the easement. Mr. Griffith responded smaller vehicles could access the Kunz property through this easement, but agreed larger vehicles may find it difficult. Commissioner Ingwalson asked if Kunz vehicles would have a security card to access their property via the easement from Eden Avenue. Mr. Griffith said that is correct. The proponents would be issue a security card to Kunz Oil. Commissioner Runyan interjected in his opinion security is lost if others need to enter the facility to gain access to their property.

Mr. Todd Jones said the proposed facility has a controlled access point, and the entrance will be monitored with video cameras. Mr. Jones also pointed out the site will be completely fenced, and manned the majority of the time.

Commissioner McClelland questioned if the facility manager will live on site. Mr. Jones said as mentioned earlier, that has not been decided. Continuing, Mr. Jones said he believes this site will not be open 24 hours a day.

Commissioner McClelland asked Mr. Larsen when the proposed road changes for Eden Avenue will occur. Mr. Larsen said redevelopment of the Lewis site triggers the proposed road changes to Eden Avenue.

Commissioner Ingwalson asked Mr. Jones the type of exterior materials that will be used on the buildings. Mr. Jones explained the building walls will be split face block, with a standing seam roof, and roll up doors. Landscaping will be incorporated throughout the site.

Commissioner Runyan asked Mr. Jones the type of landscaping vegetation that will be used throughout the site. Mr. Jones said he is unsure of the type of vegetation used, but it will match the landscaping that was planted throughout the Grandview area. Mr. Jones stated the landscaping plan for the proposed development exceeds ordinance requirements.

Commissioner Ingwalson asked Mr. Jones the size of the storage units. Mr. Jones said the storage units will range in size from 5X5 to 20X20.

Commissioner Swenson asked if any of the storage bays are large enough for RV storage. Mr. Jones said this facility will not have units large enough to store RV's.

Commissioner Byron questioned the height of the proposed storage buildings, and inquired if some of the buildings are two story. Commissioner Byron also asked Mr. Jones to clarify access points and circulation. Mr. Jones explained currently in the metro area they have a number of two story buildings, but at this site only a portion of Building C is two story. Continuing, Mr. Jones said the site is accessed by one curb cut off Eden Avenue, and the interior circulation is two-way throughout the complex. Building A will have roll up doors, and Building C will be a climate controlled building with access to the storage units via a corridor. Commissioner Ingwalson questioned how the two story portion of building C will be accessed. Mr. Jones said there will be an elevator.

Commissioner Swenson asked Mr. Jones the spacing between Buildings A and C. Mr. Jones responded there is 30 feet between buildings.

Commissioner Byron said in reviewing the plans it is possible to comply with the ordinance regarding spacing between buildings/parking areas where there are no garage doors. Mr. Jones agreed in certain selected areas of the site the required 10 foot spacing can be accomplished.

Commissioner Swenson observed in reviewing the proposal, the 16 foot easement is provided, but because of the location of the storage buildings, any use by Kunz may be

severely limited. Mr. Jones said that may be correct. He added he is not familiar with the Kunz site or their operation, and added it may not be practical for them to use this easement because of the difficulty of the turn into their property, and placement of the buildings.

Commissioner Runyan stated in his opinion this proposal land-locks the Kunz site which is something the City may not want to do. Continuing, Commissioner Runyan said in his opinion there are good things about the proposal, it is low rise, with good traffic counts, but this is a piece of property in the heart of the City, and whatever is developed here sets a precedent. Continuing, Commissioner Runyan said what we have to decide as a Commission is if a mini-storage facility projects what the City of Edina wants to see here.

Commissioner Ingwalson said in his opinion this is an acceptable use. He added the site is blighted, and the present situation is awful. Commissioner Ingwalson acknowledged this area is composed of fragmented ownership, adding in his opinion the Commission can only review what is before us. Concluding, Commissioner Ingwalson stated he likes the proposal, and supports the proposed use.

Commissioner Byron said as he understands it, the proponent with respect to the easement is only responsible to provide access to the easement. It is not their responsibility if as a result of their development, vehicles desiring access to the Kunz site have a difficult time doing so. Continuing, Commissioner Byron questioned the responsibility of the City to Kunz Oil and the T.A.G.S. building.

Mr. Larsen pointed out the loading docks of the Kunz Oil building are located on its east side, and if this project is constructed access to the docks would virtually be eliminated from Eden Avenue. Continuing, Mr. Larsen asked the Commission to recall previous hearings where it was important to the neighborhood and the City that all large vehicular traffic access the Kunz site from Eden Avenue, and not through the residential neighborhood via Eden Circle. Continuing, Mr. Larsen stated the Kunz Oil operation is a busy one, and with access cut off as a result of this development large commercial vehicles would have to access the site from Eden Circle, reiterating that is something the City does not want to see occur. Mr. Larsen concluded as far as the City is concerned we are responsible to ensure that all developments meet with planning principles.

Commissioner Workinger asked how the traffic presently flows in, and out of Kunz Oil. Mr. Larsen said the large trucks access the site from Eden Avenue, and smaller vehicles and cars access from Eden Circle. Commissioner Workinger asked Mr. Larsen if in his opinion this proposal were approved would it negatively impact Kunz Oil. Mr. Larsen said in his opinion it would. Mr. Larsen added the City is very concerned with the impact this proposal will have on Kunz Oil. He said the intention of the City when this area was platted was never to strangle and land lock a property. The City chose the industrial designation to remain because it allows the City control over redevelopment, especially because of the close proximity to a residential area. Mr. Larsen pointed out

over the past seven years the City has never considered a proposal to keep this site industrial.

Commissioner Ingwalson said if we don't act on this, and move it on to Council we are holding a property owner hostage. He concluded the City can't keep saying no to every proposal.

Mr. Larsen interjected the City has not said no to every proposal, and has not held this piece hostage. In fact a number of proposals received preliminary approval, and final approval, but because of financing or other reasons the developer walked away from the approved plans, and the subject site was once again put on the market. Mr. Larsen said the City does not want to see its planning principles compromised by allowing the development of an industrial facility.

Commissioner Byron noted the T.A.G.S building is separate, and questioned how Kunz Oil got into the situation it is in. Mr. Larsen said platting at that time allowed private easements, which is something we would not allow now.

Mr. Griffith interjected it would be better for the proposed development if Kunz Oil used Eden Circle instead of Eden Avenue to access their site.

Commissioner Workinger pointed out to the proponents, the City has heard a number of different proposals all requesting a rezoning of the site. Continuing, Commissioner Workinger said in your dealings with other cities you probably had to request a site rezoned, and understand the process may be difficult. Commissioner Workinger said the Planning Commission not only has an obligation to an individual property owner, but has an obligation to the entire community. Mr. Griffith said he understands that, but wants the Commission to focus on the Final Development Plan presented this evening. Reiterating there is no rezoning and the Comprehensive Plan supports this site as industrial. Mr. Griffith pointed out when the Comprehensive Plan was revisited if the City did not want this site to remain industrial they could have changed the designation at that time.

Mr. Larsen reiterated City policy is to review changes to zoning designations on individual pieces of property when a rezoning proposal is brought before us.

Commissioner Runyan asked Mr. Larsen if the Fire and Utility departments have reviewed the proposal. Mr. Larsen said the proposal has been reviewed by Engineering, but not the Fire Department. Mr. Larsen asked members of the Commission not to disregard the City's position on this site.

Commissioner McClelland moved to recommend denial. Commissioner Swenson seconded the motion.

Mr. Kunz asked if he could address the Commission, and requested that the Commission ensure that Kunz retains unrestricted access to their easement. He said he has a concern that access will be restricted, and will become difficult to use.

Commissioner Lonsbury asked what restricted access is. Mr. Kunz said the use of a card to gain access to our easement restricts us. He pointed out it will be difficult for deliveries to occur if a card is needed to access the site. Commissioner Lonsbury questioned if the 16 foot easement is logical. Mr. Kunz said the easement has always been 16 feet, but unrestricted and not encumbered with buildings on either side of it. He concluded as presented in this development the easement will be extremely tight, difficult to navigate and restricted.

Commissioner Byron said he is impressed by the quality of the project, adding the disagreement on the setback issue is something he believes could be resolved. Continuing, Commissioner Byron stated he would be comfortable supporting the project if it were a stand alone project, but in this instance he agrees with the recommendation of staff. Commissioner Byron pointed out for years the Commission has considered a number proposals to rezone this site, and in our decision making process we always included the entire area, residential, Lewis, Kunz and T.A.G.S. in making our decision. Commissioner Byron stated he does not believe the City is locked into the industrial zoning designation of this site. He added on this point he does not agree with the proponent. Commissioner Byron said in his experience zoning designation remains as is, until a viable proposal is made to the City to change it, and the City approves this change. Commissioner Byron pointed out rezoning property affords the City control, and past Commission and Council actions on this site have never supported this area to remain industrial. Commissioner Byron noted the last action on this site was a rezoning for an office development. Concluding, Commissioner Byron said he does not believe the City is holding the property owner hostage by not agreeing with the current proposal. Past actions prove the City has been more than willing to work with the property owner. Commissioner Byron said he can not support the proposal.

Acting Chair Runyan called for the vote recommending denial of the Final Development Plan. Ayes; Lonsbury, Swenson, Byron, McClelland, Runyan. Nays; Workinger, Ingwalson. Motion to deny carried 5-2.

III. ADJOURNMENT: The meeting adjourned at 9:30 p.m.

Jackie Hoogenakker